

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

ALPHONZO H. HILL, : Case No. 3:12-cv-173  
Plaintiff, : District Judge Walter H. Rice  
vs. : Magistrate Judge Michael J. Newman  
DOUGLAS M. RASTATTER, *et al.*, :  
Defendants. :

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**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATION (DOC. #3)  
IN ITS ENTIRETY; PLAINTIFF'S OBJECTIONS TO SAID JUDICIAL FILING (DOC.  
#4) OVERRULED; DISMISSING PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE;  
TERMINATION ENTRY**

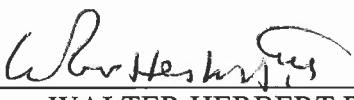
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Based upon the reasoning and citations of authority set forth by the United States Magistrate Judge, in his Report and Recommendation, filed June 13, 2012 (Doc. #3), as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court adopts the aforesaid Report and Recommendation in its entirety, and overrules Plaintiff's Objections (Doc. #4) thereto.

Plaintiff's complaint is dismissed without prejudice. The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Plaintiff is denied leave to appeal *in forma pauperis*.

September 25, 2012.

  
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WALTER HERBERT RICE, JUDGE  
UNITED STATES DISTRICT COURT